

REMARKS

Applicants have carefully reviewed the Application in light of the Final Office Action dated June 25, 2004. Claims 1-3, 5-7, 11, 15-53, 55-57, 61, and 63-132 stand rejected. Claims 12-14 and 62 stand objected to. Applicants have amended Claims 1, 51, and 128, and have canceled Claims 12-14, 62, 101-127, and 131-132 without prejudice or disclaimer. For the reasons provided below, Applicants submit that the pending claims are patentably distinguishable over the cited reference. Therefore, Applicants respectfully request reconsideration and favorable action in this case.

Allowable Subject Matter

Applicants note with appreciation the Examiner's indication that Claims 12-14 and 62 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants have amended independent Claims 1, 51, and 128 to recite all of the limitations of Claim 62 (or Claims 12-14).

Section 103 Rejections

The Office Action rejects Claims 1, 5-6, 11, 15-16, 23-33, 35-37, 39, 42-44, 48-50, 51, 55-56, 61, 63-66, 73-83, 85-87, 89, 92-94, 98-100, 120, 123, and 126-132 under 35 U.S.C. § 103(a) as being unpatentable over WO 99/48310 to *Puuskari*, in view of WO 99/05828 to *Forslow*, and in further view of U.S. Patent 6,587,457 B1 to *Mikkonen*. As indicated above, Applicants have amended independent Claims 1, 51, and 128 to recite all of the limitations of Claim 62. Accordingly, Claims 1, 51, and 128, as well as Claims 2-50, 52-100, and 129-130, which depend from one of Claims 1, 51, or 128, should now be in condition for allowance. Reconsideration and favorable action are respectfully requested.

The Office Action also rejects Claims 101-103, 108-109, 111-113, and 117-119 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*. The Office Action further rejects Claims 104, 107, and 114 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Chawla* and *Sherman*. In addition, the Office Action rejects Claims 105, 106, 110, 115, and 116 under 35 U.S.C. § 103(a) as being

unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Kalliokulju*. All of these claims are canceled in this Response and thus this rejection is now moot.

Furthermore, the Office Action rejects Claims 2, 3, 7, 34, 52, 53, 57, and 84 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Mikkonen* and U.S. Patent 6,356,759 to *Mustajarvi*. In addition, the Office Action has rejected Claims 12-14, 17-18, 20-22, 45, 62, 67-68, 70-72, and 95 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Mikkonen*, “Quasi-Static Resource Allocation with Interference Avoidance for Fixed Wireless Systems” by *Chawla, et al.* and U.S. Patent 6,021,309 to *Sherman, et al.* Moreover, the Office Action has rejected Claims 19 and 69 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Mikkonen*, *Chawla* and U.S. Patent 5,987,326 to *Tiedemann, Jr., et al.* The Office Action also has rejected Claims 38, 40, 88, and 90 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Mikkonen*, *Chawla* and U.S. Patent 5,926,458 to *Yin*. The Office Action also rejects Claims 46-47, 96, and 97 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Mikkonen*, and “Quality of Service Management Functions in 3rd Generation Mobile Telecommunication Networks” to *Kalliokulju*. As mentioned above, all of these claims depend from either Claim 1 or Claim 51, which are in condition for allowance. Therefore, these claims should also be in condition for allowance. Reconsideration and favorable action are respectfully requested.

Finally, the Office Action rejects Claims 41, 91, 121, 122, 124, and 125 under 35 U.S.C. § 103(a) as being unpatentable over *Puuskari*, in view of *Forslow*, and in further view of *Mikkonen*, *Yin* and further in view of “Service Scheduling for General Packet Radio Service Classes” to *Pang, et al.* Claims 121, 122, 124, and 125 are canceled in this Response and thus this rejection is now moot with respect to these claims. In addition, Claims 41 and 91 depend from Claims 1 and 51, respectively, which are in condition for allowance. Therefore, these claims should also be in condition for allowance. Reconsideration and favorable action are respectfully requested.

CONCLUSION

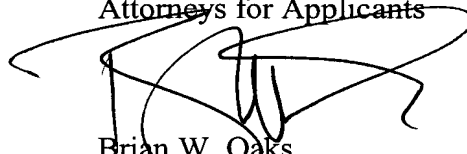
Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Brian W. Oaks
Reg. No. 44,981

Date: August 23, 2004

Customer ID #05073